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One Hundred Eighth Congress  
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DEMOCRATIC STAFF DIRECTOR

December 9, 2003

The Honorable David M. Walker  
Comptroller General of the United States  
General Accounting Office  
441 G Street, N.W.  
Washington, D.C. 20548

Dear Mr. Walker:

International Atomic Energy Agency (IAEA) safeguards are a cornerstone of U.S. and international efforts to prevent nuclear weapons proliferation. Since the early 1970's, the international community has relied on IAEA safeguards to independently verify that non-nuclear weapons states are complying with their obligations under the Treaty on the Non-proliferation of Nuclear Weapons (NPT) not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. Under the NPT, states with comprehensive safeguards agreements must declare all nuclear material to IAEA. IAEA then regularly inspects all facilities or locations containing declared material to verify its peaceful uses. The discovery that Iraq had developed a clandestine nuclear weapons program while IAEA was inspecting Iraq's civilian nuclear facilities caused IAEA and its member states to initiate an intensive effort to strengthen the safeguards system. More recently, IAEA is now considering whether to declare Iran in violation of the Nonproliferation Treaty because of its nuclear safeguards agreement breaches and the world is waiting to see if Iran will abide by a strengthened safeguards agreement.

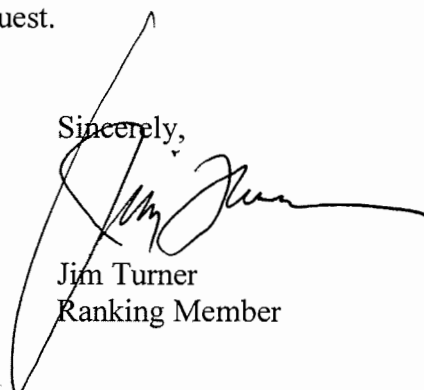
While IAEA's safeguards system is suppose to ensure that nuclear materials are not diverted to nuclear weapons programs, the system is not designed to prevent theft of nuclear material by outsiders or the bombing of nuclear reactors and spent fuel facilities by terrorists. No multilateral treaty requires that nuclear material and facilities be protected from such attacks. IAEA recommends, but does not require, physical protection standards to protect reactors against sabotage, and IAEA inspectors do not check to ensure that these recommendations are followed. For example, to ensure the physical protection of exported U.S. supplied civilian-use nuclear materials, the United States relies on the protection systems, such as guards, alarms, and fences, in recipient countries and these countries compliance with IAEA's guidelines. Once the United States exports nuclear materials, it is the responsibility of the recipient country to protect them.

In light of the September 11<sup>th</sup> attacks, it is time to reevaluate the status of IAEA's efforts to strengthen international safeguards agreements and determine what efforts are needed to require measures to physically protect nuclear materials. Therefore, we are requesting that GAO conduct a review to determine

- the progress IAEA has made in strengthening the international safeguards system, and
- what changes are needed to the safeguards system to protect nuclear materials from terrorist attacks, including any changes that may be needed to IAEA's physical protection guidelines.

We appreciate your prompt attention to this request. Please contact John Sopko at (202) 226-8833 to discuss details of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Turner", is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jim Turner  
Ranking Member